

AMENDMENTS TO THE CLAIMS

Please amend claims 1, 6, 8, and 11, and cancel claims 2-4, as shown in the following listing of claims, which will replace all prior versions and listings of claims in the application. Please cancel claims 2-4 without prejudice to their pursuit in an appropriate continuation or divisional application.

Listing of claims:

1 (currently amended). An isolated DNA comprising ~~[[an]]~~ a human uncoupling protein-2 (UCP-2) promoter region, which ~~comprises~~ consists of all or a part of ~~[[the]]~~ a base sequence consisting of nucleotides 1 to 2270 of SEQ ID NO: 1, wherein the part of the base sequence ~~comprises a regulator sequence selected from the group consisting of:~~

~~a. a peroxisome proliferator response element (PPRE) sequence comprising~~

~~nucleotides 284 to 296 of SEQ ID NO: 1;~~

~~b. a CCAAT/enhancer binding protein (C/EBP) sequence comprising nucleotides~~

~~1316 to 1320 of SEQ ID NO: 1, nucleotides 1364 to 1368 of SEQ ID NO: 1,~~

~~or nucleotides 1698 to 1692 of SEQ ID NO: 1;~~

~~c. a glucocorticoid response element (GRE) sequence comprising nucleotides 753 to~~

~~758 of SEQ ID NO: 1, nucleotides 1023 to 1030 of SEQ ID NO: 1, or~~

~~nucleotides 1450 to 1455 of SEQ ID NO: 1; and~~

~~d. a. a MyoD binding sequence comprising nucleotides 1428 to 1437 of SEQ ID NO: 1~~

consists of nucleotides 255 to 430 of SEQ ID NO: 1, nucleotides 255 to 717 of SEQ ID NO: 1, nucleotides 717 to 1133 of SEQ ID NO: 1, nucleotides 1133 to 1389 of SEQ ID NO: 1, nucleotides 255 to 1857 of SEQ ID NO: 1, nucleotides 571 to 2270 of SEQ ID NO: 1, nucleotides 717 to 2270 of SEQ ID NO: 1, nucleotides 1133 to 2270 of SEQ ID NO: 1, nucleotides 1389 to 2270 of SEQ ID NO: 1, or nucleotides 1634 to 2270 of SEQ ID NO: 1.

2. – 4. (canceled)

5 (previously presented). A recombinant vector comprising the DNA described in claim 1.

6 (currently amended). The recombinant vector described in claim 5, which comprises a DNA comprising a structural gene under control of the human UCP-2 promoter region ~~comprising the regulator sequence.~~

7 (previously presented). A transformant transformed by the recombinant vector described in claim 5.

8 (currently amended). A method for screening for a compound or its salt that promotes or inhibits a human UCP-2 promoter activity, which comprises:

- a. measuring the expression level of [[the]] structural gene in [[the]] a transformant, of claim 7 with a human UCP-2 promoter sequence, contacted to a first sample of the compound or its salt and that in a control transformant, with no [[UDP-2]] human UCP-2 promoter, contacted to a second sample of the compound or its salt, wherein the human UCP-2 promoter sequence consists of all or a part of a base sequence consisting of nucleotides 1 to 2270 of SEQ ID NO: 1, wherein the part of the base sequence consists of nucleotides 255 to 430 of SEQ ID NO: 1, nucleotides 255 to 717 of SEQ ID NO: 1, nucleotides 717 to 1133 of SEQ ID NO: 1, nucleotides 1133 to 1389 of SEQ ID NO: 1, nucleotides 255 to 1857 of SEQ ID NO: 1, nucleotides 571 to 2270 of SEQ ID NO: 1, nucleotides 717 to 2270 of SEQ ID NO: 1, nucleotides 1133 to 2270 of SEQ ID NO: 1, nucleotides 1389 to 2270 of SEQ ID NO: 1, or nucleotides 1634 to 2270 of SEQ ID NO: 1; and
- b. comparing the expression levels thereof.

9. – 10. (canceled)

11 (currently amended). A kit for screening for a compound or its salt that promotes or inhibits a human UCP-2 promoter activity, which comprises:

- a. a medium for culturing a host animal cell line;
 - b. a plasmid for measurement of the human UCP-2 promoter activity,
comprising which comprises:
 - i. plasmid DNA carrying a human UCP-2 promoter sequence ~~which comprises wherein the human UCP-2 promoter sequence consists of all or a~~ part of the base sequence consisting of nucleotides 1 to 2270 of SEQ ID NO: 1, ~~which wherein the part of the base sequence comprises a regulator sequence selected from the group consisting of:~~
 - (a) — a peroxisome proliferators response element (PPRE) sequence comprising nucleotides 284 to 296 of SEQ ID NO: 1;
 - (b) — a CCAAT/enhancer binding protein (C/EBP) sequence comprising nucleotides 1316 to 1320 of SEQ ID NO: 1, nucleotides 1364 to 1368 of SEQ ID NO: 1, or nucleotides 1698 to 1692 of SEQ ID NO: 1
 - (c) — a glucocorticoid response element (GRE) sequence comprising nucleotides 753 to 758 of SEQ ID NO: 1, nucleotides 1023 to 1030 of SEQ ID NO: 1, or nucleotides 1450 to 1455 of SEQ ID NO: 1; and
 - (d) — a MyoD binding sequence comprising nucleotides 1428 to 1437 of SEQ ID NO: 1; and
- consists of nucleotides 255 to 430 of EQ ID NO: 1, nucleotides 255 to 717 of SEQ ID NO: 1, nucleotides 717 to 1133 of SEQ ID NO: 1, nucleotides 1133 to 1389 of SEQ ID NO: 1, nucleotides 255 to 1857 of SEQ ID NO: 1,

nucleotides 571 to 2270 of SEQ ID NO: 1, nucleotides 717 to 2270 of SEQ ID NO: 1, nucleotides 1133 to 2270 of SEQ ID NO: 1, nucleotides 1389 to 2270 of SEQ ID NO: 1, or nucleotides 1634 to 2270 of SEQ ID NO: 1; and

ii. a structural gene inserted downstream of the human UCP-2 promoter;
and

c. a host animal cell line.

12. – 16. (canceled)

17 (previously presented). The kit of claim 11, wherein the structural gene is a luciferase gene.